

ATTORNEY DOCKET NO: 2003946-0080 (FP04-0096-0)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yamamoto, <i>et al.</i>	Examiner:	PAGONAKIS, Anna
Serial No.:	10/797,903	Group Art Unit:	1614
Filing Date:	March 10, 2004	Conf. No.:	3373
Title:	C-KIT KINASE INHIBITOR		

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam:

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Applicants hereby appeal the final rejection of pending claims 12 and 14-20 in the above-referenced application. These claims have been twice rejected as required under 37 C.F.R. § 41.31(a)(1).

The final rejection of these claims in the above-referenced case was mailed July 23, 2008. A Response and a Petition for a one-month extension of time from October 23, 2008, up to and including November 23, 2008, were filed and the appropriate extension fee was paid on November 21, 2008. A Petition for an additional two-month extension of time from November 23, 2008, up to and including January 23, 2009, is enclosed. With this Petition, the deadline for filing a Notice of Appeal is January 23, 2009. Applicants respectfully submit that the present Notice of Appeal is therefore timely filed on January 23, 2009.

The extension fee of \$980.00 under 37 C.F.R. § 1.17(a) for a large entity and the Appeal fee of \$540.00 under 37 C.F.R. § 41.20(b)(1) are being paid via the U.S. Patent and Trademark

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Respectfully submitted,

/Charles E. Lyon/

Charles E. Lyon, D.Phil.

Registration Number 56,630

Choate, Hall & Stewart, LLP
Two International Place
Boston, MA 02110
t (617) 248-4793
f (617) 502-5002
clyon@choate.com

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